

## FARGO CITY COMMISSION AGENDA

Monday, April 18, 2022 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://www.FargoND.gov/streaming). They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, April 4, 2022).

### **CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. 2nd reading and final adoption of the following Ordinances; 1st reading, 4/4/22:
  - a. Ordinance Establishing a Planned Unit Development Master Land Use Plan and Rezoning Certain Parcels of Land Lying in Metropolitan Park Third Addition.
  - b. Rezoning a Certain Parcel of Land Lying in Rocking Horse Farm Sixth Addition.
- 2. Receive and file the Notice of Appeal from Decision of a Local Governing Body Pursuant to NDCC § 28-34-01 brought by Northland Hospitality, LLC d/b/a SouthTown PourHouse.
- 3. Site Authorizations for Games of Chance:
  - a. Plains Art Museum at Blue Wolf Casino (West Acres Bowl).
  - b. Plains Art Museum at Big Top Bingo.
  - c. Plains Art Museum at King Pin Casino (The Bowler).
  - d. Plains Art Museum at Wild Bill's Sports Saloon.
  - e. Plains Art Museum at District 64.
- 4. Application for Games of Chance:
  - a. The Next Step ND for a raffle on 4/28/22; Public Spirited Resolution.
  - b. NDSU Lions Club for a raffle on 6/1/22.
  - c. NDSU Saddle and Sirloin for a raffle board on 4/27/22 (amended).
  - d. Homeward Animal Shelter for a raffle on 4/28/22.
- 5. Concur with the findings of staff and the Liquor Control Board and apply the Penalty Matrix (\$500 fine, first failure) to the following:
  - a. Plaza Azteca.
  - b. Happy Harry's.
  - c. Delta Hotels.
  - d. Izumi Sushi and Hibachi.
- 6. Request for out of grade pay for Susan Thompson retroactively effective 4/1/22.
- 7. Master Services and Licensing Agreement No. 26459 with JustFOIA (RFP21196).
- 8. Contract Amendment No. 1 in the amount of \$30,000.00 for Project No. FM-21-A0.

9. Payment to Xcel Energy in the amount of \$106,226.18 for utility relocation and new 3-phase power lift station service (Project No. FM-19-C1).
10. Memorandum of Understanding with the City of West Fargo for a new traffic signal installation (Project No. TN-22-B).
11. Storm Sewer Easement payment and Permanent Easement (Storm Sewer) with Alec and Rachel Boughton (Project No. UR-21-A1).
12. Storm Sewer Easement payment and Permanent Easement (Storm Sewer) with Patrick and Kathryn Peltier (Project No. UR-21-A1).
13. Bid award for Project No. SR-22-B1.
14. Bid award for Project No. UR-21-B1.
15. Bid advertisement for Project No. FM-19-C.
16. Variance Acknowledgement and Liability Waiver with Paul and Ann Jarvis at 172 North Woodcrest Drive North.
17. Memorandum of Offer to Landowner for a Permanent and Temporary Easements with Paul and Ann Jarvis (Project No. FM-19-C).
18. Receive and file the proposed uses spreadsheets for CARES, ARPA and Fund 402.
19. State Water Commission cost reimbursement for the FM Metropolitan Area Flood Risk Management Project in the amount of \$3,945,477.58.
20. Receive and file General Fund – Budget to Actual through March 2022 (unaudited).
21. Notice of Grant Award Amendment with the ND Department of Health for Ryan White Part B Program (CFDA #93.917).
22. Purchase of Service Agreement with Northern Cass Public School District.
23. Fifth Amendment to Parking Management Agreement with Interstate Parking Company of ND, LLC.
24. City of Fargo Grievance Procedure Under the Americans with Disabilities Act and Section 504, as proposed.
25. Receive and file the update on Hate Crime Investigations for First Quarter of 2022.
26. Bid award for aerial lift truck (RFP22052).
27. Bid award for the Processing and Marketing Services for Recyclable Materials (RFP22045).
28. Contracts and Bonds for Project Nos. SR-22-A1 and TM-22-A1.
29. Change Orders for Project No. SW20-01:
  - a. No. 4 for an increase of \$10,000.00 (civil construction contract).
  - b. No. G-005 for a decrease of \$193.30 (general construction contract).
  - c. No. E-004 for an increase of \$670.37 (electrical construction contract).

30. Purchase of reverse osmosis elements from Toray Membrane in the amount of \$167,072.00 for Project No. WA2104.
31. Change Order No. 3 in the amount of \$11,709.69 for Project No. WA1863.
32. Amended Water Tower Lease Agreement with AT&T at Water Tower No. 1 (1102 7th Avenue North).
33. Task order No. 18 with AE2S in the amount of \$338,000.00 to design and bid the Regional Water Distribution Extension projects.
34. Building Resilient Infrastructure and Communities Agreement with the State of ND Department of Emergency Services for FY 2020 Non-Disaster Grant Awards (Project No. WW1905).
35. Bills.
36. Upgrade to the "Wave" Form Liner Option No. 2 for an increase of \$4,814.25 for Improvement District No. BN-21-A1.
37. Bid award for Improvement District No. BN-22-J1.
38. Contracts and bonds for Improvement District Nos. BR-22-C1 and TN-22-A1.

#### **REGULAR AGENDA:**

39. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at [FargoND.gov/VirtualCommission](https://FargoND.gov/VirtualCommission)).**
40. **\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**
  - a. Community Development Block Grant (CDBG) and HOME Investment Partnerships Programs (HOME) 2022 HUD Action Plan, Analysis of Impediments to Fair Housing and Proposed Amendments to the 2021 HUD Action Plan.
  - b. Application filed by CoSchedule, LLC for a Payment in Lieu of Tax Exemption for a project to be located at 502 1st Avenue North which the applicant will use in the operation of a software company.
41. Presentation by Gate City Bank regarding the Neighborhood Revitalization Initiative (NRI) Program.
42. Recommendation for a Right of Way Use Agreement with Bell Bank and Olaf Anderson Construction, Inc. at 520 Main Avenue.
43. Resolution Authorizing the Issuance of Annual Appropriation Bonds, Series 2022D, Approving Certain Actions, and Approving Forms of Documents Required in Connection Therewith.
44. Recommendation to concur with the findings of staff and the Liquor Control Board and apply the Penalty Matrix (\$500 fine, first failure) to Longhorn Steakhouse.

45. Recommendation of a liquor license compliance violation to Crave.
46. Recommendation for appointment of an Interim City Administrator.
47. Applications for Property Tax Exemptions for Improvements Made to Buildings:
  - a. Bonnie B. Kavanaugh T/O/D, 1607 East Gateway Circle South (5 year).
  - b. Lorraine Olson, 2121 6th Avenue South (5 year).
  - c. Willie and Dana Cook, 1024 University Drive South (5 year).

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).